IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

C.W.P. No. 2952 of 2006

Date of Decision: December 21, 2006

Mrs. Manoj Kaushik

…..Petitioner

Vs.

State of Haryana and others

…..Respondents

CORAM: HON'BLE MR. JUSTICE VINEY MITTAL.

HON'BLE MR. JUSTICE M.M.S. BEDI.

Present:- Mr. Rajiv Sharma, Advocate for the petitioner.

Mr. Harish Rathee, Senior Deputy Advocate General, Haryana, for respondents No.1 and 2.

Mr. H.N. Mehtani, Advocate for respondent No.3.

Mr. R.K. Malik, Advocate for respondents No.4 to 12.

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**VINEY MITTAL, J.** (ORAL)

The petitioner has challenged the selection of respondents No.4 to 12 to the post of Deputy Director/ District Education Officer/ District Training Programme Officer (HES Class-I). It has been claimed by the counsel for the petitioner that the petitioner possess such qualification which entitled her a preference over respondents No.4 to 12, who have been selected.

Learned counsel appearing for the official respondents relied upon an order dated January 12, 2000 passed in Civil Writ Petition No. 179 of 2000, (**Balwant Singh and others v. State of Haryana and others**), wherein the following order was passed:-

> "After hearing learned counsel for the petitioners, we do not find any merit in the writ petition. We do not agree with the learned counsel for the qualification prescribed as MA/ M.Sc. be read as M.A./ M.Sc. IInd Division. The latter qualification was laid down only in the 1998 rules. The second submission that persons with higher qualification and more experience have been left out and persons with lesser qualification and less experience have been selected is not well based. The Public Service Commission is the competent authority to select persons on merit. The petitioners had only a right to be considered and they have been duly considered and it was after considering that some persons even with lesser experience but having the prescribed qualification have been selected. Dismissed."

In view of the observations made in **Balwant Singh's** case, we do not find any merit in the present petition.

Dismissed.

(VINEY MITTAL)
JUDGE

December 21, 2006 (M.M.S.BEDI)
sanjay JUDGE